



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

---

## State Water Resources Control Board

Division of Drinking Water

November 29, 2016  
Certified Mail/Return  
7012 3460 0003 1112 7611

Los Molinos Community Services District  
P.O. Box 9  
Los Molinos, CA 96055

Attention: James Lowden, General Manager

**Subject: Public Water System No. 5210003 – Citation No. 21-16C-027 for failing to monitor and report dual TTHM and HAA5 samples in 2014, 2015, and 2016.**

The Los Molinos Community Services District water system is classified as a community water system. Per Section 64534.2(d)(3), Title 22, of the California Code of Regulations (CCR), the Los Molinos Community Services District is required to collect and report one dual sample set annually for total trihalomethanes (TTHM) and haloacetic acids (HAA5) analysis. The water system did not collect and report these samples sets for the years 2014, 2015, and 2016.

Therefore, this Citation is hereby issued to the water system for violating the monitoring and reporting requirements per the California Code of Regulations cited above.

Section 116577 of the California Safe Drinking Water Act provides for the department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. The billing rate is approximately \$163 per hour. You will receive a bill for this cost, typically by September 1<sup>st</sup>, from our Fee Billing Unit in Sacramento.

If you have any questions please call Paul Rowe at (530) 224-4866. You may also contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

---

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

1  
2 STATE WATER RESOURCES CONTROL BOARD

3 DIVISION OF DRINKING WATER  
4

5 **Public Water System:** Los Molinos Community Services District

6 **Water System No.:** 5210003  
7

8 **To:** Los Molinos Community Services District

9 Attn: James Lowden

10 P.O. Box 9

11 Los Molinos, CA 96055  
12

13 **Issued:** November 29, 2016

14 VIA CERTIFIED MAIL  
15

16  
17 **CITATION NO. 21-16C-027 FOR NONCOMPLIANCE**

18 **with Title 22 California Code of Regulations**

19 **Section 64534.2**  
20

21 Section 116650 of the California Health and Safety Code (CHSC) authorizes the  
22 issuance of a citation for failure to comply with a requirement of the California Safe  
23 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with  
24 Section 116270), or any regulation, standard, permit, or order issued thereunder.  
25

26 The State Water Resources Control Board, acting by and through its Division of  
27 Drinking Water (hereinafter "Division") and the Deputy Director for the Division,

1 hereby issues a citation to Los Molinos Community Services District for failure to  
2 comply with Section 64534.2(d)(1), Title 22, of the California Code of Regulations  
3 (CCR).

4  
5 **STATEMENT OF FACTS**

6 The Los Molinos Community Services District (Water System) is classified as a  
7 community water system serving approximately 1500 people. Per Table 64534.2-D  
8 of the CCR, the Water System is required to collect and report one dual sample set  
9 annually for total trihalomethanes (TTHM) and haloacetic acids (HAA5) analysis. The  
10 Water System developed a Stage 2 Disinfection Byproduct Rule (DBPR) monitoring  
11 plan which specified the collection of one dual sample set annually in July or August.  
12 The Water System confirmed agreement to this plan by submitting a signed copy to  
13 the Division in February of 2014. The Water System failed to collect and report these  
14 samples in the years 2014, 2015, and 2016.

15  
16 **DETERMINATIONS**

17 The Division has determined that the Water System violated Section 64534.2(d)(3),  
18 Title 22, of the CCR, in that the Water System failed to collect and report a dual  
19 sample set of TTHM and HAA5 samples in the years 2014, 2015, and 2016. See  
20 applicable authorities in **Attachment A**.

21  
22 **DIRECTIVES**

23 The Water System is hereby directed to take the following actions:

- 24  
25 1. Comply with Section 64534.2(d)(3), Title 22, of the CCR in all future  
26 monitoring periods.

1           2. The Water System shall provide public notification (by inclusion in the **2016**  
2           **Consumer Confidence Report**) of the failure to collect and report a dual  
3           sample set of TTHM and HAA5 samples in the years 2014, 2015, and 2016.  
4           **Within 10 days of providing notification**, the Water System shall submit  
5           the enclosed proof of notification form (**Attachment B**).  
6

7 All documents required by this Citation to be submitted to the Division shall be  
8 submitted to the following address:  
9

10 Reese B. Crenshaw, P. E.  
11 Valley District Engineer  
12 Drinking Water Field Operations  
13 Division of Drinking Water  
14 State Water Resources Control Board  
15 364 Knollcrest Drive, Suite 101  
16 Redding, CA 96002  
17 (530) 224-4800  
18

19 Nothing in this Citation relieves the Water System of its obligation to meet the  
20 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California  
21 Safe Drinking Water Act), or any regulation, permit, standard or order issued or  
22 adopted thereunder.  
23

24 The Division reserves the right to make such modifications to this Citation, as it may  
25 deem necessary to protect public health and safety. Such modifications may be  
26 issued as amendments to this Citation and shall be effective upon issuance.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the State Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

**PARTIES BOUND**

This Citation shall apply to and be binding upon the Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Reese B. Crenshaw, P.E., District Engineer  
Valley District  
Drinking Water Field Operations Branch

11/28/16

Date



1 Attachments:

2 Attachment A – Applicable Authorities

3 Attachment B – Certification of Completion of Public Notification

4

5

6

7

**APPLICABLE AUTHORITIES**

Section 116650 of the CHSC states:

*(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*

*(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*

*(c) A citation may specify a date for elimination or correction of the condition constituting the violation.*

*(d) A citation may include the assessment of a penalty as specified in subdivision (e).*

*(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation*



(f) occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64534.2(d)(3), Title 22, of the CCR states in relevant part:

(d) By the applicable date specified in Section 64530(d), and in lieu of TTHM and HAA5 monitoring in subsection (a):

(3) Systems may apply to the Department to monitor at a reduced frequency in accordance with table 64534.2-D, any time the LRAA is  $\leq 0.040$  mg/L for TTHM and  $\leq 0.031$  mg/L for HAA5 at all monitoring locations.

**Table 64534.2-D**  
**Reduced Monitoring Frequency for TTHM and HAA5**  
(Relevant to the specific Water System)

Source water type	Persons served	Sample description	Monitoring period
Ground Water	500 - 9,999	1 TTHM and 1 HAA5 sample at same location	Annually

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

**Public Water System Name** Los Molinos Community Services District

Public Water System No. 5210003

Public notification for the 2014, 2015, and 2016 annual TTHM and HAA5 monitoring failure was performed by the following method(s):

## Check and Complete

- a) \_\_\_\_\_ By informing consumers in the 2016 Consumer Confidence Report. **Please use the notice language at the bottom of this page.**

For this method, provide the date (or dates) that the notice was posted \_\_\_\_\_

I hereby certify that the above information is factual.

Printed Name

Signature

Date \_\_\_\_\_

**Consumer Confidence Report violation notice language:**

***“The Los Molinos CSD water system failed to collect and report disinfectant byproduct samples for the years 2014, 2015, and 2016. We are required to monitor for this contaminant on an annual basis. We will resume sampling in the summer of 2017?”***